

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

IRON OAK TECHNOLOGIES, LLC,  Plaintiff,  v.	Civil Action No. 3:18-md-2835-M
FUJITSU AMERICA, INC.,	Civil Action No. 3:16-cv-3319-M
TOSHIBA AMERICA INFORMATION SYSTEMS INC. and TOSHIBA CORPORATION,	Civil Action No. 3:16-cv-3320-M
ASUSTEK COMPUTER INC.,	Civil Action No. 3:16-cv-3322-M
SAMSUNG ELECTRONICS AMERICA, INC. and SAMSUNG ELECTRONICS CO., LTD.,	Civil Action No. 3:17-cv-1259-M
SHARP ELECTRONICS CORPORATION and SHARP CORPORATION,	Civil Action No. 3:17-cv-2699-M
MICROSOFT CORPORATION,	Civil Action No. 3:18-cv-0222-M
LENOVO (UNITED STATES) INC. and LENOVO HOLDING COMPANY, INC.,	Civil Action No. 3:18-cv-1539-M
DELL INC.,	Civil Action No. 3:18-cv-1542-M
ACER AMERICA CORPORATION and ACER INC.,	Civil Action No. 3:18-cv-1543-M

**OPPOSED REQUEST FOR BRIEF ORAL ARGUMENT ON MICROSOFT’S MOTION  
FOR SUMMARY JUDGMENT BEFORE OR AFTER CLAIM CONSTRUCTION  
HEARING**

Defendant Microsoft Corporation (“Microsoft”) respectfully requests the opportunity to present a thirty minute oral argument on its Motion for Partial Summary Judgment, either directly before or directly after the September 20, 2018 Claim Construction hearing.<sup>1</sup> In support of this Request, Microsoft states as follows:

Plaintiff Iron Oak Technologies, LLC (“Iron Oak”) has accused Microsoft’s products in

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<sup>1</sup> (Dkts. 39, 40, 41)

more than one of the consolidated matters. Microsoft has potentially dispositive arguments with respect to damages that Microsoft believes should significantly simplify the issues facing the Court. Microsoft would appreciate the opportunity to present its arguments and answer the Court's questions, either directly before or directly after the September 20, 2018 hearing. This setting would be maximally efficient because counsel for Microsoft and Iron Oak, along with counsel for the other consolidated cases, will already be attending the hearing, and therefore all parties can provide perspective if requested without incurring any expense or inconvenience of a separate setting.

Counsel for Microsoft has conferred with counsel for Iron Oak, and Plaintiff opposes this Request.

WHEREFORE, Microsoft respectfully requests that Court set oral argument on its Motion for Partial Summary Judgment of No Damages as to Microsoft's Products.

Dated: September 13, 2018

Respectfully submitted,

/s/ Kelley A. Conaty

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ATTORNEYS FOR DEFENDANT  
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**CERTIFICATE OF SERVICE**

I certify that on September 13, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Kelley A. Conaty  
Kelley A. Conaty

**CERTIFICATE OF CONFERENCE**

Counsel for Defendant Microsoft Corporation conferred with counsel for Plaintiff Iron Oak Technologies LLC on September 11, 2018, regarding said request. On September 12, 2018, counsel for Plaintiff indicated the request is opposed.

/s/ Kelley A. Conaty  
Kelley A. Conaty